

FILED
HARRISBURG, PA

JUL 22 2019

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UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Kenneth W. Duncan Jr.

CIVIL CASE NO: 3:19-CV-1271

(to be supplied by Clerk
of the District Court)

(Enter above the full name of
plaintiff in this action)

v.

Only know last name

Sweeny

(Enter above the full name of
the defendant(s) in this action)

COMPLAINT

1. The plaintiff Kenneth W. Duncan Jr. a citizen of

the County of Cumberland State of

Pennsylvania, residing at 10 Rich Land Lane Apt 201, Camp Hill, Pa 17011

wishes to file a complaint under _____
(give Title No. etc.)

2. The defendant is Sweeny a white shirt prison
guard at the Cumberland County Prison

3. STATEMENT OF CLAIM: (State below the facts of your case. If you have paper
exhibits that give further information of your case, attach them to this completed form. Use as
much space as you need. Attach extra sheet(s) if necessary) I Kenneth W. Duncan Jr.

3. (CONTINUED) On June 3rd 2018 I was detained at the Cumberland County Prison for refusal DUI. While detained in the Cumberland County Prison, the white shirt prison guard (Sweeny) pepper sprayed me for asking to contact a family member or VA to let someone know of my whereabouts. While shackled, Sweeny ask if I was in my feeling, I stated yes because the hand cuffs were too tight. While shackled Sweeny sprayed me in the face at point blank range for no reason.

4. WHEREFORE, plaintiff prays that Sweeny be held accountable for his misconduct and a formal apology.


(Signature of Plaintiff)

3. (CONTINUED) After being detained for 10 plus hours another prison guard came to the holding cell and ask if I was decontaminated, I stated no, she ask if I had something to eat, I said no. The female prison guard stated all I had to do is go through booking and I would of been released between 2-4 hours. I was shackled the entire 10 plus hours also peppered sprayed for no reason at all. Never showed any type of aggression.

4. WHEREFORE, plaintiff prays that

(Signature of Plaintiff)